

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

NILESH ENTERPRISES, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	C.A. No. 5:08-CV-661 XR
	§	
LAWYER’S TITLE INSURANCE	§	
CORPORATION,	§	
	§	
Defendant.	§	

DEFENDANT’S MOTION FOR JUDICIAL NOTICE

Defendant Lawyers Title Insurance Corporation (“Lawyers Title”) moves, pursuant to Federal Rule of Civil Procedure 201, the Court to take judicial notice of the following pleadings, motions, responses, and orders filed or entered in Cause No. 2007-CI-15677, styled *EOS Acquisitions II, LLC v. B Rock, Inc. d/b/a Boobie Rock VI, et al.* formerly pending in the 150th Judicial District Court of Bexar County, Texas (the “EOS Lawsuit”). The documents are attached hereto as exhibits as set forth below.

A. Pleadings.

Exhibit 1	Plaintiff’s Third Amended Original Petition, Application for Temporary Restraining Order, Temporary and Permanent Injunction, and Request for Declaratory Judgment
Exhibit 2	Third Amended Answer and Counterclaim of B Rock, Inc., Defendant
Exhibit 3	Defendant, Nilesch Enterprises, Inc.’s Third Amended Answer
Exhibit 4	First Amended Answer of B Rock, Inc. to Nilesch Enterprises, Inc.’s Cross-Claim

B. Temporary Injunction Proceedings.

- Exhibit 5 Plaintiff's Brief in Support of Application for Temporary Injunction
- Exhibit 6 Defendant, Nilesh Enterprises, Inc.'s Brief Regarding Temporary Injunction Issues
- Exhibit 7 Order Granting Temporary Injunction

C. Motions, Responses, and Replies.

- Exhibit 8 Plaintiff's Motion for Partial Summary Judgment
- Exhibit 9 Defendant, B Rock, Inc.'s Partial Motion for Summary Judgment
- Exhibit 10 Defendant, Nilesh Enterprises, Inc.'s Motion for Summary Judgment
- Exhibit 11 Plaintiff's Response to Nilesh Enterprises, Inc.'s Motion for Summary Judgment
- Exhibit 12 Plaintiff's Response to Defendant, B Rock, Inc.'s, Motion for Partial Summary Judgment
- Exhibit 13 Defendant's Objections in Response to Plaintiff's Motion for Partial Summary Judgment
- Exhibit 14 Defendant, Nilesh Enterprises, Inc.'s Response and Objections to Plaintiff's Motion for Partial Summary Judgment
- Exhibit 15 Defendant's Reply to Plaintiff's Response to Defendant's Motion for Partial Summary Judgment
- Exhibit 16 Plaintiff's Reply to Defendant, Nilesh Enterprises, Inc.'s Response and Objections to Plaintiff's Motion for Partial Summary Judgment
- Exhibit 17 Plaintiff's Sur-Reply to Nilesh Enterprises, Inc.'s Motion for Summary Judgment
- Exhibit 18 Plaintiff's Reply to Defendant, Boobie Rock's Response and Objections to Plaintiff's Motion for Partial Summary Judgment
- Exhibit 19 Reply to Plaintiff's Response to Defendant Nilesh Enterprises, Inc.'s Motion for Summary Judgment
- Exhibit 20 Defendant, Nilesh Enterprises, Inc.'s Supplemental Response and Objections to Plaintiff's Motion for Partial Summary Judgment

- Exhibit 21 Plaintiff's Second Motion for Partial Summary Judgment
- Exhibit 22 Plaintiff's Brief in Support of Entry of Order on Plaintiff's Motion for Partial Summary Judgment
- Exhibit 23 Defendant, Nilesh Enterprises, Inc.'s Response and Objections to Plaintiff's Second Motion for Partial Summary Judgment
- Exhibit 24 Defendant's Objections and Response to Plaintiff's Second Motion for Partial Summary Judgment
- Exhibit 25 Plaintiff's Reply and Objection to Boobie Rock's Response to EOS' Second Motion for Partial Summary Judgment
- Exhibit 26 Plaintiff's Objections to Defendant, Nilesh Enterprises, Inc.'s Evidence in Support of its Supplemental Response and Objections to Plaintiff's Motion for Partial Summary Judgment

D. Final Judgment.

- Exhibit 27 Final Judgment

RELIEF REQUESTED

Lawyers Title respectfully requests that the Court will take judicial notice of the foregoing documents filed in the EOS Lawsuit.

Respectfully submitted,

By: /s/ Amanda Sotak

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ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

I hereby certify that all attorneys deemed to accept service of the above-referenced document electronically will be notified via the Court's CM/ECF system and all others will be notified via certified mail, return receipt requested, on this the 18th day of September, 2009.

/s/ Amanda Sotak

Amanda Sotak